

REMARKS/ARGUMENTS

This case has been reviewed and analyzed in view of the Official Action dated 18 June 2004. Responsive to the rejections made by the Examiner in the outstanding Official Action, Claims 1, 5, 8 and 9 have now been amended and Claim 3 has been cancelled from this case in order to more clearly clarify the inventive concept of the Applicant.

The Examiner has objected to the drawings/specification for failing to comply with 37 C.F.R. 1.84(p)(4) due to the fact that reference characters “1111” and “1121” have both been used to designate the “first component”. It is respectfully noted that the first component 1111 represents the first component in the embodiment of Figure 3a. The first component 1121 is distinguished from the first component 1111 of Figure 3a in that the first component 1121 is the first component of an alternative embodiment, shown in Figure 3b, and is matched with second component 1122. Thus, it is believed that both the drawings and specification are in compliance with 37 C.F.R. 1.84(p)(4).

It is respectfully noted that the Examiner has stated that Claims 3, 5 – 7 are merely objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 3 has now been cancelled from this case and the limitations of Claim 3 have now been incorporated into newly-

amended independent claims 1, 8 and 9. Thus, it is now believed that Claims 1, 2, 4 – 10 have been placed in condition for allowance and such action is respectfully requested.

The Examiner has rejected Claims 1, 2, 4 and 8 – 10 under 35 U.S.C. § 102(b) as being anticipated by the Tellam Patent No. 5,523,876. It is the Examiner's contention that all elements of Claims 1, 2, 4 and 8 – 10, as originally filed, are taught by the Tellam reference.

The Tellam reference is directed towards a scanner drive system having minimum rotational error carriage suspension. As shown in the Figure, the Tellam reference includes a first rigid frame 2006 and a second rigid frame 2008. Though the reference teaches a rigid component 1930 having a first end and a second end, with the first end being affixed to the first rigid frame 2006 and the second end including a vertical surface connected to the second rigid frame 2008, the second rigid frame does not include first and second components, each having a hole formed therethrough, with the second component being spaced apart from the first component by a predetermined space and with an elastic component being positioned between the first and second components.

As shown in Figure 3b of the subject Patent Application, the subject Patent Application system includes a first component 1121 and a second component 1122 with spring 117 being positioned therebetween. This allows for the second rigid frame 112 to be able to move within a predetermined distance along the axis of the

rigid component 116 because of the elongation and compressionability of the elastic component 117, which is not taught or suggested by the system of the Tellam reference.

Thus, the Tellam reference does not provide for: "... said second rigid frame having a first component with a first hole; and a second component with a second hole and a surface, said second component being spaced from said first component by a predetermined space; wherein said rigid component is sleeved into said first hole and said second hole, said elastic component is disposed between said first component and said second component, and said second end of said elastic component is in contact with said surface of said second component ..." which is clearly provided by newly-amended independent Claims 1, 8 and 9.

Thus, based upon newly-amended independent Claims 1, 8 and 9, it is not believed that the subject Patent Application is anticipated by, or made obvious by, the Tellam reference when independent Claims 1, 8 and 9 are carefully reviewed.

It is now believed that the remaining Claims 2, 4 – 7 and 10 show patentable distinction over the prior art cited by the Examiner for at least the same reasons as those previously discussed for independent Claims 1, 8 and 9.

MR1957-951

Serial Number: 09/879,484

Response to Office Action Dated 18 June 2004

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

FOR ROSENBERG, KLEIN & LEE


Morton J. Rosenberg
Registration #26,049

Dated: 9/17/04

Rosenberg, Klein & Lee
Suite 101
3458 Ellicott Center Drive
Ellicott City, MD 21043
(410) 465-6678